

AMENDED IN SENATE FEBRUARY 5, 2002

CALIFORNIA LEGISLATURE—2001–02 THIRD EXTRAORDINARY SESSION

SENATE BILL

No. 2

Introduced by Senator Alarcon
(Principal coauthor: Senator Burton)
(Coauthor: Senator Romero)
(Coauthor: Assembly Member Diaz)

January 14, 2002

An act to amend Section 1280 of the Unemployment Insurance Code, relating to unemployment insurance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 2, as amended, Alarcon. Unemployment insurance: benefits compensation.

Under existing law, for new claims filed on or after January 1, 1992, and prior to January 1, 2002, the weekly unemployment compensation benefit for an individual whose highest wages in the quarter of his or her base period exceeded \$4,966.99 is 39% of those wages divided by 13, not to exceed \$230. In the case of new claims filed with an effective date beginning on or after January 1, 2002, and prior to January 1, 2003, the weekly benefit amount for individuals whose highest wages in the quarter of his or her base period exceeds \$2,781.99 is 45% of those wages not to exceed \$330.

This bill would, instead, apply this provision to existing and new claims, *as provided*, filed on or after September 11, 2001, and prior to January 1, 2003. This bill would also state the intent of the Legislature that certain provisions of the bill be construed to allow the benefit

period of a qualified unemployed person, as defined, to run from the date that the qualified unemployed person became unemployed, as provided.

Because these provisions would increase the amount of unemployment compensation paid, these provisions would increase the amount payable from the Unemployment Fund, a continuously appropriated special fund, and thereby would make an appropriation.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1280 of the Unemployment Insurance
2 Code is amended to read:

3 1280. (a) For any new claims filed with an effective date on
4 or after January 1, 1992, and prior to September 11, 2001, an
5 individual's weekly benefit amount is the amount appearing in
6 column B in the following table opposite that wage bracket in
7 column A that contains the amount of wages paid to the individual
8 for employment by employers during the quarter of his or her base
9 period in which his or her wages were the highest.

A Amount of wages in highest quarter	B Weekly benefit amount
\$900.00– 948.99	40
949.00– 974.99	41
975.00–1,000.99	42
1,001.00–1,026.99	43
1,027.00–1,052.99	44
1,053.00–1,078.99	45
1,079.00–1,117.99	46
1,118.00–1,143.99	47
1,144.00–1,169.99	48
1,170.00–1,195.99	49
1,196.00–1,221.99	50
1,222.00–1,247.99	51
1,248.00–1,286.99	52

1	1,287.00–1,312.99	53
2	1,313.00–1,338.99	54
3	1,339.00–1,364.99	55
4	1,365.00–1,403.99	56
5	1,404.00–1,429.99	57
6	1,430.00–1,455.99	58
7	1,456.00–1,494.99	59
8	1,495.00–1,520.99	60
9	1,521.00–1,546.99	61
10	1,547.00–1,585.99	62
11	1,586.00–1,611.99	63
12	1,612.00–1,637.99	64
13	1,638.00–1,676.99	65
14	1,677.00–1,702.99	66
15	1,703.00–1,741.99	67
16	1,742.00–1,767.99	68
17	1,768.00–1,806.99	69
18	1,807.00–1,832.99	70
19	1,833.00–1,871.99	71
20	1,872.00–1,897.99	72
21	1,898.00–1,936.99	73
22	1,937.00–1,975.99	74
23	1,976.00–2,001.99	75
24	2,002.00–2,040.99	76
25	2,041.00–2,066.99	77
26	2,067.00–2,105.99	78
27	2,106.00–2,144.99	79
28	2,145.00–2,170.99	80
29	2,171.00–2,209.99	81
30	2,210.00–2,248.99	82
31	2,249.00–2,287.99	83
32	2,288.00–2,326.99	84
33	2,327.00–2,352.99	85
34	2,353.00–2,391.99	86
35	2,392.00–2,430.99	87
36	2,431.00–2,469.99	88
37	2,470.00–2,508.99	89
38	2,509.00–2,547.99	90
39	2,548.00–2,586.99	91



1	2,587.00–2,625.99	92
2	2,626.00–2,664.99	93
3	2,665.00–2,703.99	94
4	2,704.00–2,742.99	95
5	2,743.00–2,781.99	96
6	2,782.00–2,820.99	97
7	2,821.00–2,859.99	98
8	2,860.00–2,898.99	99
9	2,899.00–2,937.99	100
10	2,938.00–2,989.99	101
11	2,990.00–3,028.99	102
12	3,029.00–3,067.99	103
13	3,068.00–3,106.99	104
14	3,107.00–3,158.99	105
15	3,159.00–3,197.99	106
16	3,198.00–3,236.99	107
17	3,237.00–3,288.99	108
18	3,289.00–3,327.99	109
19	3,328.00–3,379.99	110
20	3,380.00–3,418.99	111
21	3,419.00–3,470.99	112
22	3,471.00–3,509.99	113
23	3,510.00–3,561.99	114
24	3,562.00–3,600.99	115
25	3,601.00–3,652.99	116
26	3,653.00–3,704.99	117
27	3,705.00–3,743.99	118
28	3,744.00–3,795.99	119
29	3,796.00–3,847.99	120
30	3,848.00–3,899.99	121
31	3,900.00–3,938.99	122
32	3,939.00–3,990.99	123
33	3,991.00–4,042.99	124
34	4,043.00–4,079.99	125
35	4,080.00–4,116.99	126
36	4,117.00–4,153.99	127
37	4,154.00–4,190.99	128
38	4,191.00–4,227.99	129
39	4,228.00–4,264.99	130



1	4,265.00–4,301.99	131
2	4,302.00–4,338.99	132
3	4,339.00–4,375.99	133
4	4,376.00–4,412.99	134
5	4,413.00–4,449.99	135
6	4,450.00–4,486.99	136
7	4,487.00–4,523.99	137
8	4,524.00–4,560.99	138
9	4,561.00–4,597.99	139
10	4,598.00–4,634.99	140
11	4,635.00–4,671.99	141
12	4,672.00–4,708.99	142
13	4,709.00–4,745.99	143
14	4,746.00–4,782.99	144
15	4,783.00–4,819.99	145
16	4,820.00–4,856.99	146
17	4,857.00–4,893.99	147
18	4,894.00–4,930.99	148
19	4,931.00–4,966.99	149

20

21 If the amount of wages paid an individual for employment by
 22 employers exceeds four thousand nine hundred sixty-six dollars
 23 and ninety-nine cents (\$4,966.99) in the quarter of his or her base
 24 period in which these wages were highest, the individual's weekly
 25 benefit amount shall be 39 percent of these wages divided by 13,
 26 but in no case shall this amount exceed two hundred thirty dollars
 27 (\$230). If the benefit payable under this subdivision is not a
 28 multiple of one dollar (\$1), it shall be computed to the next higher
 29 multiple of one dollar (\$1).

30 (b) Notwithstanding subdivision (a), for existing claims on or
 31 after September 11, 2001, *provided that the unemployment*
 32 *benefits have not been exhausted as of September 11, 2001*, and for
 33 all new claims filed with an effective date beginning on or after
 34 September 11, 2001, and prior to January 1, 2003, an individual's
 35 weekly benefit amount is the amount *for weeks of unemployment*
 36 *beginning on or after September 11, 2001*, appearing in column B
 37 in the following table opposite that wage bracket in column A that
 38 contains the amount of wages paid to the individual for
 39 employment by employers during the quarter of his or her base
 40 period in which his or her wages were the highest.



1	A	B
2	Amount of wages in	Weekly benefit
3	highest quarter	amount
4	\$900.00– 948.99	40
5	949.00– 974.99	41
6	975.00–1,000.99	42
7	1,001.00–1,026.99	43
8	1,027.00–1,052.99	44
9	1,053.00–1,078.99	45
10	1,079.00–1,117.99	46
11	1,118.00–1,143.99	47
12	1,144.00–1,169.99	48
13	1,170.00–1,195.99	49
14	1,196.00–1,221.99	50
15	1,222.00–1,247.99	51
16	1,248.00–1,286.99	52
17	1,287.00–1,312.99	53
18	1,313.00–1,338.99	54
19	1,339.00–1,364.99	55
20	1,365.00–1,403.99	56
21	1,404.00–1,429.99	57
22	1,430.00–1,455.99	58
23	1,456.00–1,494.99	59
24	1,495.00–1,520.99	60
25	1,521.00–1,546.99	61
26	1,547.00–1,585.99	62
27	1,586.00–1,611.99	63
28	1,612.00–1,637.99	64
29	1,638.00–1,676.99	65
30	1,677.00–1,702.99	66
31	1,703.00–1,741.99	67
32	1,742.00–1,767.99	68
33	1,768.00–1,806.99	69
34	1,807.00–1,832.99	70
35	1,833.00–1,871.99	71
36	1,872.00–1,897.99	72
37	1,898.00–1,936.99	73
38	1,937.00–1,975.99	74
39	1,976.00–2,001.99	75
40	2,002.00–2,040.99	76

1	2,041.00–2,066.99	77
2	2,067.00–2,105.99	78
3	2,106.00–2,144.99	79
4	2,145.00–2,170.99	80
5	2,171.00–2,209.99	81
6	2,210.00–2,248.99	82
7	2,249.00–2,287.99	83
8	2,288.00–2,326.99	84
9	2,327.00–2,352.99	85
10	2,353.00–2,391.99	86
11	2,392.00–2,430.99	87
12	2,431.00–2,469.99	88
13	2,470.00–2,508.99	89
14	2,509.00–2,547.99	90
15	2,548.00–2,586.99	91
16	2,587.00–2,625.99	92
17	2,626.00–2,664.99	93
18	2,665.00–2,703.99	94
19	2,704.00–2,742.99	95
20	2,743.00–2,781.99	96

21

22 If the amount of wages paid an individual for employment by
 23 employers exceeds two thousand seven hundred eighty-one
 24 dollars and ninety-nine cents (\$2,781.99) in the quarter of his or
 25 her base period in which these wages were highest, the individual's
 26 weekly benefit amount shall be 45 percent of these wages divided
 27 by 13, but in no case may this amount exceed three hundred thirty
 28 dollars (\$330).

29 (c) For new claims filed with an effective date beginning on or
 30 after January 1, 2003, an individual's weekly benefit amount is the
 31 amount appearing in column B in the following table opposite the
 32 wage bracket in column A that contains the wages paid to the
 33 individual for employment by employers during the quarter of his
 34 or her base period in which his or her wages were the highest.

35

36	A	B
37	Amount of wages in	Weekly benefit
38	highest quarter	amount
39	\$900.00– 948.99	40
40	949.00– 974.99	41



1	975.00–1,000.99	42
2	1,001.00–1,026.99	43
3	1,027.00–1,052.99	44
4	1,053.00–1,078.99	45
5	1,079.00–1,117.99	46
6	1,118.00–1,143.99	47
7	1,144.00–1,169.99	48
8	1,170.00–1,195.99	49
9	1,196.00–1,221.99	50
10	1,222.00–1,247.99	51
11	1,248.00–1,286.99	52
12	1,287.00–1,312.99	53
13	1,313.00–1,338.99	54
14	1,339.00–1,364.99	55
15	1,365.00–1,403.99	56
16	1,404.00–1,429.99	57
17	1,430.00–1,455.99	58
18	1,456.00–1,494.99	59
19	1,495.00–1,520.99	60
20	1,521.00–1,546.99	61
21	1,547.00–1,585.99	62
22	1,586.00–1,611.99	63
23	1,612.00–1,637.99	64
24	1,638.00–1,676.99	65
25	1,677.00–1,702.99	66
26	1,703.00–1,741.99	67
27	1,742.00–1,767.99	68
28	1,768.00–1,806.99	69
29	1,807.00–1,832.99	70

30

31 If the amount of wages paid an individual for employment by
 32 employers exceeds one thousand eight hundred thirty-two dollars
 33 and ninety-nine cents (\$1,832.99) in the quarter of his or her base
 34 period in which these wages were highest, the individual's weekly
 35 benefit amount shall be 50 percent of these wages divided by 13,
 36 but in no case shall this amount exceed the applicable of the
 37 following:

38 (1) For new claims filed with an effective date beginning on or
 39 after January 1, 2003, and before January 1, 2004, three hundred
 40 seventy dollars (\$370).

1 (2) For new claims filed with an effective date beginning on or
2 after January 1, 2004, and before January 1, 2005, four hundred ten
3 dollars (\$410).

4 (3) For new claims filed with an effective date beginning on or
5 after January 1, 2005, four hundred fifty dollars (\$450).

6 If the benefit payable under this subdivision is not a multiple of
7 one dollar (\$1), it shall be computed to the next higher multiple of
8 one dollar (\$1).

9 SEC. 2. (a) It is the intent of the Legislature in enacting the
10 amendments to Section 1280 of the Unemployment Insurance
11 Code that those amendments be construed to allow a qualified
12 unemployed person's benefit year to begin on the date that the
13 qualified unemployed person became unemployed.

14 (b) For purposes of subdivision (a), "qualified unemployed
15 person" means a person who meets ~~both~~ all of the following
16 conditions:

17 (1) The person became unemployed on or after September 11,
18 2001, and before January 1, 2002.

19 (2) The person did not file a claim for unemployment
20 compensation benefits on or before January 1, 2002, because that
21 individual sought the additional benefits that would have been paid
22 on or after January 1, 2002.

23 (3) *The person filed a new claim for unemployment*
24 *compensation benefits with an effective date beginning on January*
25 *6, 2002, or January 13, 2002.*

26 (c) It is the further intent of the Legislature to make the
27 payment of unemployment insurance benefit increases effective in
28 the most expeditious manner.

29 SEC. 3. This act is an urgency statute necessary for the
30 immediate preservation of the public peace, health, or safety
31 within the meaning of Article IV of the Constitution and shall go
32 into immediate effect. The facts constituting the necessity are:

33 In order that the appropriate level of economic relief may be
34 provided as soon as possible to California residents who lost their
35 jobs as a result of the recent economic downturn in America that
36 followed the September 11, 2001, terrorist attacks, it is necessary
37 that this act take immediate effect.

O